



**City of Freeport**

**REGULAR COUNCIL MEETING MINUTES**

March 9, 2021, 9:00 AM  
Council Chambers, Freeport City Hall

**Council Members Present:** Mayor Russ Barley, Councilwoman Amanda Green, Councilwoman Elizabeth Brannon, Councilman Eddie Farris, Councilman Mark Martin, Councilwoman Elizabeth Haffner

**Staff Members Present:** City Manager Charlie Simmons, City Clerk Malani Robinson, City Attorney Clay Adkinson, Planning Director Latilda Hughes-Neel, Finance Officer Sara Bowers, Parks Director Travis Digges, Sewer Supervisor Robert Fawcett, City Engineer Alex Rouchaleau

**1. Meeting Called to Order**

The meeting was called to order at 9:00 AM by Mayor Barley in the Council Chambers of Freeport City Hall.

**2. Invocation and Pledge of Allegiance**

The invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

**3. Recognition of Guests**

None.

**4. Consent Agenda**

- a. Bills
- b. Special Council Meeting Minutes- February 16, 2021
- c. Regular City Council Meeting Minutes- February 25, 2021

**5. Public Comment on Consent Agenda**

Councilwoman Green noted that she would like the Municipal SCOP Application item on the February 25, 2021 Minutes to include the name of the street that the application was for. City Manager Simmons noted that the SCOP Application was for Jackson Street. Councilwoman Green also expressed concerns about the "Dewberry Letters" item in the Bills, noting that the expense was significant for a letter. Engineer Rouchaleau noted that the letters were development review letters which varied in price depending on the type of project. Planning Director Hughes-Neel informed the Council of the development review letter fees associated with each type of project.

**6. Approval of Consent Agenda**

Moved by: Councilwoman Brannon  
Seconded by: Councilwoman Green

*To APPROVE the consent agenda with the recommended change.*

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Green: aye

Carried

**7. Consideration of Additions/Deletions to Agenda**

Councilwoman Green- Parks

**8. Approval of Agenda with Additions/Deletions**

Moved by: Councilman Farris  
Seconded by: Councilwoman Haffner

*To APPROVE the Agenda with the specified addition.*

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Green: aye

Carried

9. **Staff Reports**

a. Water

b. Sewer

c. Parks

d. City Manager

1. Liberty Partners Presentation

City Manager Simmons opened the floor to Tim Parson of Liberty Partners who would give updates before the Council. Mr.Parson relayed their president Mrs.Jennifer Green's apology for her absence due to attending legislative meetings in Tallahassee on the behalf of the City. Mr. Parson continued by noting that their organization has been working on the preparation of the Legislative Appropriations Request, in which The House sub-committee Agriculture and Natural Resources, announced its approval of their U.S 331 Water Sewer Utility request which will now go to the full Appropriations Committee for consideration. Mr.Parson informed the Council that The Northwest Florida Water Management District Executive Director Mr.Brett Cyphers is scheduled to attend the next City Council Meeting to discuss grant opportunities. Mr.Parson presented City Manager Simmons with a jersey sighting him as the quarterback of Team Freeport for his dedication to the City's projects.

Katie Taff of Liberty Partner's approached the Council to brief them on the CDBG-CV Grant that the City met the criteria for, which aims to "prevent, prepare, and respond" to the coronavirus pandemic. The City would utilize this grant by constructing a new Community Center, which would in return would provide services to the community such as covid-19 vaccinations, covid-19 testing, and act as a food distribution center. Ms.Taff noted that Planning Director Hughes-Neel was able to identify The Health Department as a partner who would provide some of the services at the new Community Center, however she was open to alternative suggestions from the Council. Ms.Taff noted that the grant award amount ranged from \$250,000 to \$5,000,000 and with no monetary match requirements, the deadline for submittal is March 15. Councilwoman Haffner cited local churches and



various organizations that could use the Community Center as a food distribution center which had partnerships with Publix. Councilwoman Green also noted that the Community Center could also benefit the School Backpack Program by providing adequate space for sorting. Ms. Taff informed the Council that City Manager Simmons planned for her to present the final application before the Council in a public meeting on Monday, which is a requirement of the grant. City Manager Simmons informed the Council that the advertisement for the grant would be ran in the Wednesday paper of The Northwest Florida Daily News, however he would need to set a Special Council Meeting on March 15 at 12:30 PM to abide by the grant guidelines. Ms. Taff added that she anticipated on pursuing the FEMA Infrastructure Grant on the behalf of the City this summer, however she has several grants in mind.

Moved by: Councilman Farris  
Seconded by: Councilman Martin

*To SET a Special Council Meeting for March 15, 2021 at 12:30 PM.*

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

- e. City Clerk
- f. Finance
- g. Billing
- h. Planning
- i. Legal
- 1. Regency Acquisitions Annexation
- 2. Kelly Layman Annexation

City Attorney Adkinson noted that the ordinance granting the annexations were not included in the agenda package, however he read the item and requested a motion to

hold 1st Reading. City Attorney Adkinson added that the Public Hearing for Adoption and the 2nd Reading would be held on April 13, 2021.

Moved by: Councilman Farris  
Seconded by: Councilman Martin

*Motion to Hold 1st Reading of the ordinance.*

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Green: aye

Carried

j. Engineering

1. WWTF Upgrade Bid Documents

Engineer Rouchaleau presented the revised bid documents before Council for approval, noting that they had been reviewed by City Attorney Adkinson. City Engineer Rouchaleau informed the Council that the bid documents would be submitted to USDA promptly, some of the reflected changes included an incentive for the contractor up to \$500 a day to finish quicker, an extension of the contract time, and the negotiations with the lowest bidder to bring within budget if too high. Councilwoman Green thanked Engineer Rouchaleau for his phone call which made her feel comfortable and confident in the changes being made to the bid documents. Engineer Rouchaleau noted that the increase in the Rural Development Loan Application was to ensure that the City secured enough funds so that USDA would not take away grant funding.

Moved by: Councilman Martin  
Seconded by: Councilman Farris

*To APPROVE the revised bid documents.*

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Green: aye

Carried

Moved by: Councilman Martin

Seconded by: Councilwoman Green

*To SUBMIT a revised Rural Development Loan Application reflecting a total cost of \$29,000,000.*

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Green: aye

Carried

Moved by: Councilman Farris

Seconded by: Councilwoman Green

*To APPROVE the Mayor signing the application and if he is unavailable the City Manager.*



A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Green: aye

Carried

**10. Old Business**

**a. Tap and Impact Fee List**

City Manager Simmons informed the Council that he intended to remove the item and to present it at a later Council Meeting to verify information. City Manager Simmons informed the Council that there was a list of paid impact and tap fees, however there were a few discrepancies with the recorded receipts and lack thereof. Councilwoman Haffner queried as to how the verification process of paid and unpaid tap and impact fees would be conducted. City Attorney Adkinson informed the Council that throughout the years there was an inconsistent method of documenting receipts, varying from handwritten statements to carbon copy receipts. The compiled list from the Planning Department is conflicting with the Billing Department records, which has caused City Manager Simmons to seek guidance from Ordinance 20-199 to ensure staff is fulfilling their obligations. City Attorney Adkinson informed the Council that Ordinance 20-199 was enacted to protect customers with old rates from the new rates, and to also protect the City from developers. Councilwoman Brannon requested a private meeting with City Manager Simmons and Attorney Adkinson to discuss the issue at hand and to also get insight on which list the auditor used to get the found figures. Councilman Martin queried on whether the funds collected for the fees were currently in a bank, and if there were statements with a deposit record for the money collected. City Attorney Adkinson explained that the money collected for the impact and tap fees were used to fund various City projects throughout the years, noting that they were not tied to a specific project, therefore it was highly unlikely for the funds to currently be in a bank. City Attorney Adkinson added that there should however be a record of how much money came in, along with bank deposit statements. Councilman Martin sought clarity on how to fix the issue of receipts moving forward, City Attorney Adkinson responded that the City would follow the ordinance put in place on the matter. Planning Director Hughes-Neel assured the Council that tap and impact fees were collected prior to the issuance of building permits, noting the changes the City had experienced throughout the years that would have contributed to the gaps in receipts. Planning Director Hughes-Neel noted that she was confident in the list compiled, despite the spotty record keeping of receipts.

**11. New Business**

- a. Mayor Russ Barley
- b. Councilwoman Brannon
- c. Councilman Farris
- d. Councilwoman Green

1. Parks

Councilwoman Green thanked Parks Director Digges for his cleanup of the trash along Highway 331 near the post office. Park Director Digges informed the Council that whenever they see a problematic area that needs attention to inform him so the issue can be resolved promptly.

- e. Councilwoman Haffner
- f. Councilman McCormick

**12. Public Comment**

Mike Crook approach the Council requesting a letter for the title company he is working with stating that the road that gives access to his property (Lincoln Street) is a City street. Mr.Crook presented documents showing the location of his property, a map, and a description of the information needed in his letter. City Attorney Adkinson informed the Council that they could not issue a letter stating this due to there being a lack of public record supporting it, noting that the map Mr.Crook presented has been disputed for years. City Attorney Adkinson emphasized to the Council that there was no record that could conclusively say that the road was City property and could become a bigger issue down the road. Mr.Crook and City Attorney Adkinson discussed the legality of the documents he presented. City Attorney Adkinson discussed the email that was sent to him and City Manager Simmons from the title company, noting that the underwriter did not send a formal request for any document. The discussion ended with City Attorney Adkinson advising the Council that this was not a City issue and they could not establish ownership at this time.

**13. Adjournment**

Mayor Barley motioned to adjourn. The meeting adjourned at 10:06 AM.



A handwritten signature in black ink, appearing to read "Dan Dierke", written over a horizontal line.

Mayor

ATTEST:

A handwritten signature in blue ink, written over a horizontal line.

City Clerk